



RCE Ifw

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commission for Patents  
Box RCE  
Washington, DC 20231

|                        |                    |
|------------------------|--------------------|
| Application Number     | 09/819,179         |
| Filing Date            | March 27, 2001     |
| First Named Inventor   | NAGASHIGE          |
| Art Unit               | 1772               |
| Examiner Name          | MARSCHEL, Ardin H. |
| Attorney Docket Number | HIRA.0044          |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plan application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

### a. ☒ Previously submitted

- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 28, 2004.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for 1-Month Extension of Time and Preliminary Amendment

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments to Deposit Account No. 08-1480

- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_

- b. ☒ Checks in the amount of \$770.00 for the RCE and \$110.00 for the 1-month extension fees are enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

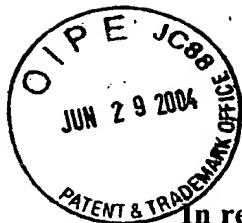
|                   |                        |                                   |               |
|-------------------|------------------------|-----------------------------------|---------------|
| Name (Print/Type) | Juan Carlos A. Marquez | Registration NO. (attorney/agent) | 34,072        |
| Name (Print/Type) | Stanley P. Fisher      | Registration NO. (attorney/agent) | 24,344        |
| Signature         |                        | Date                              | June 29, 2004 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the United States and Trademark Office on the date shown below.

|                   |  |      |  |
|-------------------|--|------|--|
| Name (Print/Type) |  | Date |  |
| Signature         |  |      |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application )

NAKASHIGE *et al.* )

Application 09/819,179 )

Art Unit 1631

Filed: March 27, 2001 )

Examiner

For: METHOD FOR DISPLAYING )  
GENE EXPERIMENT DATA )

Marschel, Ardin H.

Attorney Docket No. HIRA.0044 )

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**COVER LETTER**

Sir:

☒ The fee for submission of claims is calculated as shown below:

| FOR   | TOTAL WITH<br>NEW CLAIMS<br>ADDED | TOTAL<br>CURRENTLY ON<br>FILE | CLAIMS PAID | RATE    | CALCULATION |
|---|-----------------------------------|-------------------------------|-------------|---------|-------------|
| Total Claims  | 10                                | 10                            | (Over 20)   | x \$18  | 0           |
| Independent<br>Claims   | 1                                 | 1                             | (Over 3)    | x \$86  | 0           |
| MULTIPLE<br>DEPENDENT<br>CLAIM(S)   |                                   | 2                             | PAID        | + \$290 | 0           |
| REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28).<br>IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED |                                   |                               |             | x ½     |             |
|   |                                   |                               | TOTAL       |         | 0           |

In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

☒ Response to Office Action  
(with Claim Amendments)

☒ Preliminary Amendment

☐ Substitute Specification

☒ Request for Continued Examination

☒ Petition for Extension of Time (1 month)

☐ Terminal Disclaimer

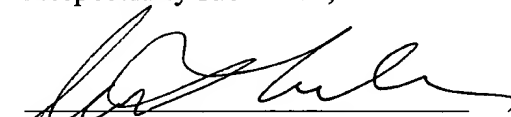
☐ Letter to Draftsperson

☐ 10 sheets of drawings

☐ Petition under \_\_\_\_\_

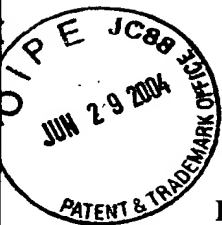
- [ ] Please charge my **Deposit Account Number** \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the fees for \_\_\_\_\_. A duplicate copy of this paper is enclosed.
- [x] Checks in the amount of **\$770.00** for the RCE and **\$110.00** for the one month extension of time are enclosed.
- [x] The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment to **Deposit Account Number 08-1480**.

Respectfully submitted,

  
Stanley P. Fisher  
Registration Number 24,344

\_\_\_\_\_  
Juan Carlos A. Marquez  
Registration Number 34,072

**REED SMITH LLP**  
3110 Fairview Park Drive, Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
**June 29, 2004**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                               |   |                    |
|-------------------------------|---|--------------------|
| In re U.S. Patent Application | ) |                    |
|                               | ) |                    |
| NAKASHIGE <i>et al.</i>       | ) |                    |
|                               | ) |                    |
| Application 09/819,179        | ) | Art Unit 1631      |
|                               | ) |                    |
| Filed: March 27, 2001         | ) | Examiner           |
|                               | ) | Marschel, Ardin H. |
| For: METHOD FOR DISPLAYING    | ) |                    |
| GENE EXPERIMENT DATA          | ) |                    |
|                               | ) |                    |
| Attorney Docket No. HIRA.0044 | ) |                    |

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Applicant has amended the claims in order to eliminate the multiple dependent claims in accordance with standard U.S. practice. Prior to an examination on the merits, please amend the above-identified application as follows: